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Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 FEA-01 AGRE-00 CEA-01 CIAE-00
COME-00 DODE-00 EB-08 FRB-03 H-01 INR-07 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 SS-15
STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01
XMB-02 OPIC-03 /092 R

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FM SECSTATE WASHDC
TO AMEMBASSY WARSAW PRIORITY

C O N F I D E N T I A L STATE 185481

E.O. 11652: GDS

TAGS: EEWT, PL

SUBJECT: POLISH GOLF CARTS

REF: STATE 182492

1. POLISH EMBASSY OFFICERS MET WITH TREASURY GENERAL COUNSEL MUNDHEIM ON AUGUST 5 FOR REVIEW OF GOLF CART CASE. MUNDHEIM TOLD THEM THAT NO RECOMMENDATION HAS BEEN SENT TO SECRETARY BLUMENTHAL YET ON WHETHER THE US MANUFACTURERS' PRICE MUST BE USED FOR 1976 AND SUCCEEDING YEARS, BUT HE ALSO SAID THAT THAT ISSUE SHOULD BE SETTLED VERY RAPIDLY. HE WOULD WAIT UNTIL STATE HAS COMPLETED ITS SEARCH FOR ANOTHER THIRD-COUNTRY PRODUCER BEFORE MAKING A RECOMMENDATION TO THE SECRETARY, BUT THAT SHOULD ONLY TAKE ANOTHER WEEK OR SO. IF THE POLES WOULD LIKE TO SUBMIT
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MORE INFORMATION BEARING ON THE ACTIVITIES OF THE CANADIAN PRODUCER THEY WILL HAVE TO DO SO QUICKLY.

2. THE POLES NOTED THAT TREASURY MAY BE FACED FOR THE FIRST TIME WITH THE TASK OF ESTABLISHING THE FAIR MARKET VALUE ON THE BASIS OF US PRODUCERS' PRICES. THEY ASKED HOW THIS WOULD BE DONE AND WHETHER THE POLES WOULD BE ALLOWED TO

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PARTICIPATE. MUNDHEIM ARRANGED FOR INFORMATION ON THE PRO-
CEDURES TO BE GIVEN TO THE POLES AND SAID THAT THEY WERE

WELCOME TO SUBMIT ANY EVIDENCE THEY MAY HAVE.

3. BILLS HAVE BEEN PRESENTED FOR DUTIES PAYABLE ON CARTS
ENTERED DURING THE FIRST EIGHT MONTHS OF 1975. THE POLES
SAID THESE WOULD BE PAID IMMEDIATELY, BUT THEY HOPED THAT
THE BILLS FOR THE REMAINDER OF 1975 COULD BE DELAYED.
MUNDHEIM AGREED TO LOOK INTO THE POSSIBILITY. FYI. AFTER
THE MEETING IT WAS DISCOVERED THAT CUSTOMS WILL NOT BE
READY TO PRESENT BILLS FOR THE LATTER PART OF 1975
FOR AT LEAST SIX MONTHS. END FYI.

4. MUNDHEIM NOTED THAT THE POLES ARE FREE TO CHALLENGE
TREASURY'S DECISION IN COURT IF THEY WISH. HE ALSO NOTED
THAT THE POLISH PRODUCER MAY APPLY TO THE ITC FOR A
REVERSAL OF THE INJURY FINDING. FYI. STATE LAWYERS
HAVE EXAMINED THE ITC POSSIBILITY AND WERE UNABLE TO
CONCLUDE WHETHER THERE IS ANY POSSIBILITY THAT CIRCUM-
STANCES HAVE CHANGED SUFFICIENTLY TO PERSUADE ITC TO
REVERSE ITS INJURY FINDING. REVERSALS HAVE BEEN OBTAINED
IN ONLY TWO PREVIOUS CASES. IN EACH OF THOSE, THE
ORIGINAL COMPLAINANTS DISCOVERED THAT MARKET CONDITIONS
HAD CHANGED IN SUCH A WAY THAT THEY HAD BECOME IMPORTERS
OF THE PRODUCT AND WERE BEING HURT BY THE INJURY FINDING
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THEY THEMSELVES HAD REQUESTED. END FYI. MUNDHEIM TOLD
THE POLES THAT THERE ARE NO PLANS AT PRESENT TO SEEK A
CHANGE IN THE LEGISLATION. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
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Sent Date: 06-Aug-1977 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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